

AMENDMENTS TO THE DRAWINGS

Please Replace the Drawing Sheet containing Fig. 1 with the enclosed
Replacement Sheet.

REMARKS

I. Status of the Application

Claims 1-20 are pending in the application. In the September 13, 2000 Office Action, the Examiner:

1. Provisionally rejected claims 1-20 under the judicially-created doctrine of double patenting as allegedly being unpatentable copending application serial no. 10/783,704 (hereinafter “the ‘704 Application”); and
2. Objected to the drawings, and in particular, Fig. 1.

In this response, Applicants have submitted a Terminal Disclaimer pursuant to 37 C.F.R. 1.321(c) herewith. Applicants respectfully request reconsideration of the pending claims in light of the following remarks.

II. The Double Patenting Rejection is Moot

In the June 29, 2005 office action, the Examiner rejected claims 1-20 under the judicially created doctrine of double patenting. The primary reference in the rejections of claims 1-20 is the ‘704 Patent. Applicants respectfully traverse. It is respectfully submitted that the claims are patentably distinct.

However, applicants have filed a terminal disclaimer pursuant to 37 C.F.R. 1.321(c). As a result, it is respectfully submitted that the double patenting rejection is moot and should be withdrawn.

Pursuant to the ruling of *Quad Environmental Technologies v. Union Sanitary District*, 946 F.2d 870, 20 U.S.P.Q.2d 1392, 1394-95 (Fed. Cir. 1991), the terminal disclaimer filed herewith does not represent an acquiescence in the Examiner's obviousness rejection. Instead, the terminal disclaimer is filed to obviate the rejection as a matter of expedience.

III. Conclusion

For the foregoing reasons, it is respectfully submitted that the applicants have made a patentable contribution to the art. Reconsideration of the present application and the pending claims is therefore earnestly solicited.

Respectfully Submitted,



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